IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF JUNE
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.13284 of 2007

Between:

M/s.Secunderabad Club,
Picket, Secunderabad – 500 026,
Rep. by its Secretary.

..... PETITIONER

and

1.The Commercial Tax Officer,
Marredpally Circle, Hyderabad and others.

.....RESPONDENTS

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice S.Ananda Reddy

Writ Petition No.13284 of 2007

Order: *(per the Hon'ble Sri Justice Bilal Nazki)*

Appeal is pending before the Sales Tax Appellate Tribunal. While filing the appeal, 50% of the disputed tax has also been deposited by the petitioner. An application for grant of stay of the disputed tax pending appeal has been filed before the third respondent on 15-06-2007 but it has not been decided so far. In the meantime, a Garnishee notice has been issued by the first

respondent on 20-06-2007.

After hearing the learned Counsel for the parties and with their consent to dispose of the Writ Petition at this stage, we feel that it would be fair to direct the Sales Tax Appellate Tribunal to decide the appeal expeditiously and direct the respondents not to recover the balance disputed tax from the petitioner by coercive means till the disposal of the appeal as 50% of the disputed tax has already been deposited.

The Writ Petition is allowed and the impugned Garnishee notice dated 20-06-2007 is quashed. No costs.

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(Bilal Nazki, J)

26th June, 2007

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(S.Ananda Reddy, J)

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